

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 v.)
)
 TYSON FOODS, INC., et al.,)
)
 Defendants.)

Case No. 05-CV-329-GKF-SAJ

**STATE OF OKLAHOMA'S SEPTEMBER 18, 2008 SET OF
REQUESTS FOR PRODUCTION TO SIMMONS FOODS, INC.**

Pursuant to Fed. R. Civ. P. 26 and 34, plaintiff State of Oklahoma ("the State") requests that Defendant Simmons Foods, Inc. respond to the following requests for production within 30 days of service.

Definitions and Instructions

For purposes of this discovery, the following terms are intended to have the following meanings:

1. "You" means Simmons Foods, Inc., including any predecessors in interest, its present and former officers, executives, directors, agents, servants, employees, attorneys, consultants, experts, investigators and other persons or firms acting or purporting to act on its behalf.
2. "Document" means documents and electronically stored information. All electronically stored information shall be produced in native format.
3. The connectives "and" and "or" are to be construed either disjunctively or conjunctively as necessary to bring within the scope of this discovery all responses that might otherwise be construed to be outside of their scope.

EXHIBIT

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4. The term "any" includes "all" and "each"; the term "all" includes "any" and "each"; and the term "each" includes "any" and "all."

5. References to the singular are to be construed to include the plural and vice versa.

6. If there is any responsive information which you decline to provide on the ground of a claim of attorney client privilege or attorney work product, make the claim expressly and describe the nature of the documents, communications, or things not produced or disclosed in a manner that will enable the State to assess the applicability of the claimed privilege or protection.

Request for Production

Request for Production No. 1: Please produce copies of the transaction documents (including any indemnification agreements) pertaining to your acquisition of Peterson Farms, Inc.'s poultry operations that was announced on or about June 3, 2008.

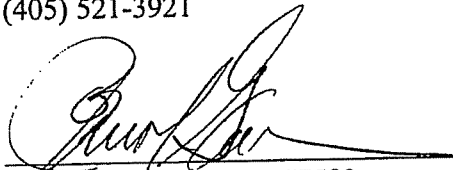
Request for Production No. 2: Please produce copies of any documents referring or relating to any environmental due diligence activities, reports, disclosures or investigations pertaining to your acquisition of Peterson Farms, Inc.'s poultry operations that was announced on or about June 3, 2008.

Request for Production No. 3: Please produce copies of any documents referring or relating to reason(s) why Peterson Farms, Inc. decided to transfer its poultry operations to you.

Request for Production No. 4: Please produce copies of any documents referring or relating to this lawsuit or the subject matter of this lawsuit that were exchanged between you and / or and Peterson Farms, Inc. (including any persons or firms acting or purporting to act on its behalf) in connection with your acquisition of Peterson Farms, Inc.'s poultry operations that was announced on or about June 3, 2008.

Respectfully Submitted,

W.A. Drew Edmondson OBA # 2628
ATTORNEY GENERAL
Kelly H. Burch OBA #17067
J. Trevor Hammons OBA #20234
Daniel P. Lennington OBA #21577
ASSISTANT ATTORNEYS GENERAL
State of Oklahoma
313 N.E. 21st St.
Oklahoma City, OK 73105
(405) 521-3921



M. David Riggs OBA #7583
Joseph P. Lennart OBA #5371
Richard T. Garren OBA #3253
Sharon K. Weaver OBA #19010
Robert A. Nance OBA #6581
D. Sharon Gentry OBA #15641
David P. Page OBA #6852
RIGGS, ABNEY, NEAL, TURPEN,
ORBISON & LEWIS
502 West Sixth Street
Tulsa, OK 74119
(918) 587-3161

Louis W. Bullock OBA #1305
Robert M. Blakemore OBA 18656
BULLOCK, BULLOCK & BLAKEMORE
110 West Seventh Street Suite 707
Tulsa OK 74119
(918) 584-2001

Frederick C. Baker
(admitted *pro hac vice*)
Lee M. Heath
(admitted *pro hac vice*)
Elizabeth C. Ward
(admitted *pro hac vice*)
Elizabeth Claire Xidis
(admitted *pro hac vice*)
MOTLEY RICE, LLC
28 Bridgeside Boulevard
Mount Pleasant, SC 29465
(843) 216-9280

William H. Narwold
(admitted *pro hac vice*)
Ingrid L. Moll
(admitted *pro hac vice*)
MOTLEY RICE, LLC
20 Church Street, 17th Floor
Hartford, CT 06103
(860) 882-1676

Jonathan D. Orent
(admitted *pro hac vice*)
Michael G. Rousseau
(admitted *pro hac vice*)
Fidelma L. Fitzpatrick
(admitted *pro hac vice*)
MOTLEY RICE, LLC
321 South Main Street
Providence, RI 02940
(401) 457-7700

Attorneys for the State of Oklahoma

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of September, 2008, I electronically transmitted the above and foregoing pleading to the following ECF registrants:

W. A. Drew Edmondson, Attorney General
Kelly H. Burch, Assistant Attorney General
J. Trevor Hammons, Assistant Attorney General
Daniel P. Lennington, Assistant Attorney General

fc_docket@oag.state.ok.us
kelly_burch@oag.state.ok.us
trevor_hammons@oag.state.ok.us
daniel.lennington@oag.ok.gov

M. David Riggs
Joseph P. Lennart
Richard T. Garren
Sharon K. Weaver
Robert A. Nance
D. Sharon Gentry
David P. Page
RIGGS, ABNEY, NEAL, TURPEN, ORBISON & LEWIS

driggs@riggsabney.com
jlennart@riggsabney.com
rgarren@riggsabney.com
sweaver@riggsabney.com
rnance@riggsabney.com
sgentry@riggsabney.com
dpage@riggsabney.com

Louis Werner Bullock
Robert M. Blakemore
BULLOCK, BULLOCK & BLAKEMORE

lbullock@bullock-blakemore.com
bblakemore@bullock-blakemore.com

Frederick C. Baker

fbaker@motleyrice.com

Lee M. Heath
Elizabeth C. Ward
Elizabeth Claire Xidis
William H. Narwold
Ingrid L. Moll
Jonathan D. Orent
Michael G. Rousseau
Fidelma L. Fitzpatrick
MOTLEY RICE, LLC
Counsel for State of Oklahoma

lheath@motleyrice.com
lward@motleyrice.com
cxidis@motleyrice.com
bnarwold@motleyrice.com
imoll@motleyrice.com
jorent@motleyrice.com
mrousseau@motleyrice.com
ffitzpatrick@motleyrice.com

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
PERRINE, MCGIVERN, REDEMANN, REID, BARRY & TAYLOR, P.L.L.C.

rredemann@pmrlaw.net
lzingue@pmrlaw.net
dsenger@pmrlaw.net

Robert E. Sanders
Edwin Stephen Williams
YOUNG WILLIAMS P.A.

rsanders@youngwilliams.com
steve.williams@youngwilliams.com

Counsel for Cal-Maine Farms, Inc and Cal-Maine Foods, Inc.

John H. Tucker
Theresa Noble Hill
Colin Hampton Tucker
Leslie Jane Southerland
RHODES, HIERONYMUS, JONES, TUCKER & GABLE

jtucker@rhodesokla.com
thill@rhodesokla.com
ctucker@rhodesokla.com
ljsoutherland@rhodesokla.com

Terry Wayen West
THE WEST LAW FIRM

terry@thewestlawfirm.com

Delmar R. Ehrich
Bruce Jones
Krisann C. Kleibacker Lee
Todd P. Walker
Christopher H. Dolan
FAEGRE & BENSON, LLP

dehrich@faegre.com
bjones@faegre.com
kklee@faegre.com
twalker@faegre.com
cdolan@faegre.com

Dara D. Mann
MCKENNA, LONG & ALDRIDGE LLP
Counsel for Cargill, Inc. & Cargill Turkey Production, LLC

dmann@mckennalong.com

James Martin Graves
Gary V Weeks

jgraves@bassettlawfirm.com
gweeks@bassettlawfirm.com

Paul E. Thompson, Jr.
Woody Bassett
K. C. Dupps Tucker
BASSETT LAW FIRM

pthompson@bassettlawfirm.com
wbassett@bassettlawfirm.com
kctucker@bassettlawfirm.com

George W. Owens
Randall E. Rose
OWENS LAW FIRM, P.C.
Counsel for George's Inc. & George's Farms, Inc.

gwo@owenslawfirm.com
rer@owenslawfirm.com

A. Scott McDaniel
Nicole Longwell
Philip Hixon
Craig A. Merkes
MCDANIEL, HIXON, LONGWELL & ACORD, PLLC

smcdaniel@mhla-law.com
nlongwell@mhla-law.com
phixon@mhla-law.com
cmerkes@mhla-law.com

Sherry P. Bartley
MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLLC
Counsel for Peterson Farms, Inc.

sbartley@mwsgw.com

John Elrod
Vicki Bronson
P. Joshua Wisley
Bruce W. Freeman
D. Richard Funk
CONNER & WINTERS, LLP
Counsel for Simmons Foods, Inc.

jelrod@cwlaw.com
vbronson@cwlaw.com
jwisley@cwlaw.com
bfreeman@cwlaw.com
rfunk@cwlaw.com

Stephen L. Jantzen
Paula M. Buchwald
Patrick M. Ryan
RYAN, WHALEY, COLDIRON & SHANDY, P.C.

sjantzen@ryanwhaley.com
pbuchwald@ryanwhaley.com
pryan@ryanwhaley.com

Mark D. Hopson
Jay Thomas Jorgensen
Timothy K. Webster
Thomas C. Green
Gordon D. Todd
SIDLEY, AUSTIN, BROWN & WOOD LLP

mhopson@sidley.com
jjorgensen@sidley.com
twebster@sidley.com
tcgreen@sidley.com
gtodd@sidley.com

Robert W. George
L. Bryan Burns
TYSON FOODS, INC

robert.george@tyson.com
bryan.burns@tyson.com

Michael R. Bond
Erin W. Thompson
KUTAK ROCK, LLP

michael.bond@kutakrock.com
erin.thompson@kutakrock.com

Counsel for Tyson Foods, Inc., Tyson Poultry, Inc., Tyson Chicken, Inc., & Cobb-Vantress, Inc.

R. Thomas Lay
KERR, IRVINE, RHODES & ABLES

rtl@kiralaw.com

Jennifer Stockton Griffin
David Gregory Brown
LATHROP & GAGE LC

jgriffin@lathropgage.com

Counsel for Willow Brook Foods, Inc.

Robin S Conrad
NATIONAL CHAMBER LITIGATION CENTER

rconrad@uschamber.com

Gary S Chilton
HOLLADAY, CHILTON AND DEGIUSTI, PLLC

gchilton@hcdattorneys.com

Counsel for US Chamber of Commerce and American Tort Reform Association

D. Kenyon Williams, Jr.
Michael D. Graves

kwilliams@hallestill.com
mgraves@hallestill.com

HALL, ESTILL, HARDWICK, GABLE, GOLDEN & NELSON

Counsel for Poultry Growers/Interested Parties/ Poultry Partners, Inc.

Richard Ford
LeAnne Burnett
CROWE & DUNLEVY

richard.ford@crowedunlevy.com
leanne.burnett@crowedunlevy.com

Counsel for Oklahoma Farm Bureau, Inc.

Kendra Akin Jones, Assistant Attorney General
Charles L. Moulton, Sr Assistant Attorney General

Kendra.Jones@arkansasag.gov
Charles.Moulton@arkansasag.gov

Counsel for State of Arkansas and Arkansas National Resources Commission

Mark Richard Mullins
MCAFEE & TAFT

richard.mullins@mcafeetaft.com

Counsel for Texas Farm Bureau; Texas Cattle Feeders Association; Texas Pork Producers Association and Texas Association of Dairymen

Mia Vahlberg
GABLE GOTWALS

mvahlberg@gablelaw.com

James T. Banks
Adam J. Siegel
HOGAN & HARTSON, LLP

jtbanks@hhlaw.com
ajsiegel@hhlaw.com

Counsel for National Chicken Council; U.S. Poultry and Egg Association & National Turkey Federation

John D. Russell
FELLERS, SNIDER, BLANKENSHIP, BAILEY
& TIPPENS, PC

jrussell@fellerssnider.com

William A. Waddell, Jr.
David E. Choate
FRIDAY, ELDREDGE & CLARK, LLP
Counsel for Arkansas Farm Bureau Federation

waddell@fec.net
dchoate@fec.net

Barry Greg Reynolds
Jessica E. Rainey
TITUS, HILLIS, REYNOLDS, LOVE,
DICKMAN & MCCALMON

reynolds@titushillis.com
jraine@titushillis.com

Nikaa Baugh Jordan
William S. Cox, III
LIGHTFOOT, FRANKLIN & WHITE, LLC

njordan@lightfootlaw.com
wcox@lightfootlaw.com

Counsel for American Farm Bureau and National Cattlemen's Beef Association

Also on this 18th day of September, 2008 I mailed a copy of the above and foregoing pleading to:

David Gregory Brown
Lathrop & Gage LC
314 E HIGH ST
JEFFERSON CITY, MO 65101

Thomas C Green
Sidley Austin Brown & Wood LLP
1501 K ST NW
WASHINGTON, DC 20005

Dustin McDaniel

Justin Allen

Office of the Attorney General (Little Rock)
323 Center St, Ste 200
Little Rock, AR 72201-2610

Steven B. Randall

58185 County Road 658
Kansas, Ok 74347

Cary Silverman

Victor E Schwartz

Shook Hardy & Bacon LLP (Washington DC)
600 14TH ST NW STE 800
WASHINGTON, DC 20005-2004

George R. Stubblefield

HC 66, Box 19-12
Proctor, Ok 74457

Secretary of the Environment
State of Oklahoma
3800 NORTH CLASSEN
OKLAHOMA CITY, OK 73118

A handwritten signature in black ink, appearing to read 'Richard T. Garren', is written over a horizontal line.

Richard T. Garren